

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

ALEXANDER CSAKY CHASE,

Plaintiff,

V.

WARDEN ANDERSON, *et al.*,

Defendants.

Civil Action No. 7:23cv00029

MEMORANDUM OPINION

By: Hon. Thomas T. Cullen
United States District Judge

Plaintiff Alexander Csaky Chase, proceeding *pro se*, filed this civil action under 42 U.S.C. § 1983. On July 17, 2023, the defendants filed a motion to dismiss, and on July 18, 2023, the court issued the notice required by *Roseboro v. Garrison*, 528 F.2d 309, 310 (4th Cir. 2005). (*See* ECF Nos. 50 & 52.) The *Roseboro* notice gave Chase 21 days to file a response to the motion to dismiss and advised him that, if he did not respond to the defendants’ motion, the court would “assume that [he] has lost interest in the case, and/or that [he] agrees with what the Defendant[s] state[] in their responsive pleading(s).” (*See* ECF No. 52.) The notice further advised Chase that, if he wished to continue with the case, it was “necessary that [he] respond in an appropriate fashion,” and that if he failed to file a response to the motion within the time allotted, the court “may dismiss the case for failure to prosecute.” (*Id.*)

To date, Chase has not responded to the motion or the court's notice and, therefore, the court will dismiss this action without prejudice for failure to prosecute.

The Clerk is directed to send copies of this Memorandum Opinion and the accompanying Order to the parties.

ENTERED this 6th day of September, 2023.

/s/ Thomas T. Cullen
HON. THOMAS T. CULLEN
UNITED STATES DISTRICT JUDGE